

REMARKS

Claims 1, 5-41, 52, 55-63, and 71-78 are pending in the application with claims 1, 6, 12, 52, 55, 56, 71, and 75 amended herein, claims 2-4, 53, and 54 cancelled herein, and claims 42-51 and 64-70 previously canceled.

Applicant expresses appreciation for the allowance of claims 13-41, 59-63, and 73-77 and for the indication that claims 4, 8-11, 54, 55, 57, and 58 set forth allowable subject matter. Applicant presumes that the Office intended to also allow claim 78 depending from claim 77 since claim 78 is not rejected. However, Applicant notes that the reasons for allowance stated on pages 7-8 of the Office Action with respect to claims 73-77 appear to apply only to claims 73, 74, 77, and 78. Accordingly, claim 75 that sets forth subject matter similar to claims 1 and 71 is amended herein responsive to the rejections of claims 1 and 71.

Claims 1-3, 5-7, 12, 52-53, and 56 stand rejected under 35 U.S.C. 102(e) as being anticipated by Mitsuhashi (US 2003/0215960). Claims 71-72 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Mitsuhashi in view of Bhattacharyya (US 6,800,892). Applicant requests reconsideration.

Applicant herein amends claim 1 to incorporate the subject matter of allowable claim 4 and intervening claims 2 and 3. Accordingly, amended claim 1 is patentable as stated on page 5 of the Office Action. Similarly, claim 52 is amended herein incorporating the subject matter of allowable claim 54 and intervening claim 53. Accordingly, amended claim 52 is patentable as stated on page 6 of the Office Action. Previously rejected claim 5 depends

from amended claim 1 and is patentable at least for such reason. The remaining claims still depending from claims 1 or 52 were previously indicated on pages 5-6 of the Office Action as allowable and they remain allowable.

Claims 71 and 75 are amended herein similarly to claim 1 and are also asserted as patentable. Claim 72 depending from claim 71 and claim 76 depending from claim 75 are also patentable at least for such reason.

Claims 6 and 56 are rewritten in independent form including all of the limitations of respective original claims 1 and 52 from which they previously depended. Page 3 of the Office Action alleges that Mitsushashi discloses the insulative nitride layer set forth in amended claims 6 and 56. However, review of the relied upon text in paragraph 25 of Mitushashi as well as the remainder of Mitsushashi does not reveal disclosure or suggestion that adhesion layer 22 or adhesion layer 12 made of titanium nitride may be insulative. As set forth in paragraph 25 of the present specification, titanium nitride is normally conductive. The Office Action does not provide any evidence that Mitushashi supports titanium nitride instead being insulative. At least for such reason, Mitsushashi fails to disclose each and every limitation of amended claims 6 and 56.

Claims 7 and 12 depend from claim 6 and are patentable at least for such reason as well as for the additional limitations of such claims not disclosed or suggested. For example, Mitsushashi further fails to disclose or suggest that the insulative nitride layer includes silicon nitride, contrary to the

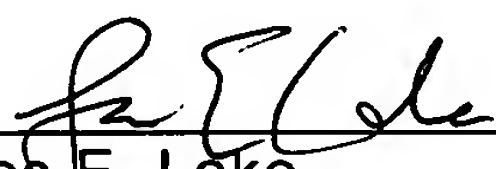
allegation on page 3 of the Office Action that paragraph 14 of Mitsuhashi discloses silicon nitride. Review of paragraph 14 and the remainder of Mitushashi do not reveal any mention of silicon nitride.

Applicant herein establishes adequate reasons supporting patentability of claims 1, 5-41, 52, 55-63, and 71-78 and requests allowance of all pending claims in the next Office Action.

Applicant previously filed an IDS, including a three-page Form PTO-1449, on July 21, 2003. Applicant has not received an initialed copy of the Form PTO-1449 indicating consideration of the cited references. The Office's Image File Wrapper indicates that the Office received the subject IDS. Applicant requests return of the initialed form with the next Office Action.

Respectfully submitted,

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